

England - Parliament - House of Commons
THE
[Attended.]

C L A I M

(4)

OF THE

HOUSE OF COMMONS,

TO A

N E G A T I V E,

ON THE

APPOINTMENT OF MINISTERS

BY THE

C R O W N,

EXAMINED AND CONFUTED.

BY THE

A U T H O R

OF A

CANDID INVESTIGATION.

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C. L. A. M.

HOUSE OF COMMONS

MINISTERS



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STATIONER

AND

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T H E
C L A I M
OF THE PRESENT

HOUSE OF COMMONS, &c.

IN this age of Philosophy, in this Country, so peculiarly distinguished by the free discussion of all Political Subjects, much might be expected from the general knowledge of the Laws and Constitution universally diffused among the People: Yet the scene which now presents itself, must nevertheless be regarded as a singular phenomenon in the progress of this Science, which gives additional lustre to a Government capable of producing such an admirable effect. The Ministers of the Crown have ventured to appeal to the People, against their own Representatives; and the Nation have given an impartial judgment in favour of the Crown.

This judgment has not been the result of deep investigation, for which the bulk of the People have neither capacity nor leisure; but the effect of settled notions, or first Principles of Government, traditionally delivered down from father to son, and which from habit have acquired upon their minds all the authority of acknowledged truths. They know, because they feel, that the Government established in this Island, secures to the meanest subject entire and perfect freedom, in short, an independence of every power but that of the Laws. They are therefore passionately attached to their Government; and being accustomed to hear it spoken of as the most perfect System of Liberty ever known to mankind, they naturally become impatient of every measure, which appears to deface its venerable structure. Of the general outlines of this Government no man is ignorant. All know that the Nomination of Ministers is vested in the King, and that these Ministers are accountable *for their conduct* to Parliament.—Whether the present of House Commons are endeavouring to wrest this nomination from the Crown, and to appropriate the appointment to themselves, is a fact of which the meanest peasant can judge equally with the most refined theorist. On this fact the People have decided.

But.

But few, perhaps, have considered the important consequences which must result from such a change in the Constitution. In my own judgment, it would render the House of Commons worse than useless, and totally annihilate the Liberties of the Country.

The opinion here stated is not new. De Lolme, in his admired Treatise on our Constitution, expressly says, “ The English Government will be no more, when the Representatives of the People shall begin to share in the Executive Authority.” The same position, in effect, had been before maintained by the President Montesquieu, in his excellent Chapter on the English Government, inserted in his Spirit of Laws. To those who want leisure or inclination to examine the reasoning of these Authors, I will endeavour to explain the subject; and possibly with equal success, since my ideas may be better adapted to the common apprehension of all.

The great essential distinction between all the Free Governments which have ever existed, and that which in this Island we enjoy, is this—the whole Executive Power with us, is *exclusively* vested in an *Hereditary Monarch*. The Ancient Republics had powers analagous to other parts of our Constitution; but this leading distinction
has

rendered our Country the peculiar seat of Public Liberty, of Personal Independence ; in short, has established a Government, not of *Men*, but of *Laws* ; and of Laws directed to the happiness of the Subjects.

Liberty, to the individual, is nothing more than a freedom from restraint. Self-government, or a right to act from the dictates of their own minds, is all that the People can possibly possess : And human Laws, which have Public Freedom for their object, can do no more than secure the actual enjoyment of this right to each individual, by repressing the encroachments of others. Hence results an important distinction.—The People at large, from the immutable nature of things, cannot possess other than *defensive Privileges* ; and all professed designs to give them the *active Powers* of Government, are a cheat, calculated only to advance the Ambition of their Leaders. The error which destroyed all the Republics of Antiquity was this delusion. The People were taught to grasp at Power, which ever must be the power of others. They conferred, indeed, this power on their Favourites ; but these Favourites became the Tyrants of their Country. The People at Rome might enlist under different Leaders ; but whether Pompey or Cæsar prevailed,

vailed, the effect was the same—the People were enslaved. They struggled for a time, with this original sin in their Constitution. By laws they limited the duration of Office. They divided and subdivided the powers of Government. They created peculiar Magistrates to watch over the Public Freedom: But in the Tribunes of the People, Cæsar found the instruments of his Ambition, at the very hour he was marching his army to subdue the Republic. In this country the People have adopted a different mode. They have renounced all pretensions to Power, which it is impossible the People can ever enjoy; and contenting themselves with what is practicable in Government, they have retained only *defensive Privileges* to themselves or their Representatives, vesting the *active Powers* of Government in an Hereditary Monarch. The whole fabric of the British Constitution consists of bulwarks erected against the abuse of Power: But as the Constitution has vested the Executive Power in a Monarch, all our laws are framed to regulate the exercise of this Power in *his* hands. The whole authority even of the House of Commons, legislative and inquisitorial, in *domestic* Government, is directed to these two objects; to stipulate in the form of laws, the

terms

terms on which the Monarch is permitted to govern, and to enforce the observance. Let the House of Commons usurp the Executive Power—what security remains to the People? All existing laws are a dead letter; for who shall enforce their observance? What *new* laws, adapted to the controul of this *new* power, can the People expect, when those whose duty it is to propose these laws, are become parties in the abuse?

Men who have attended the busy scenes of Parliamentary Debate, especially those whose minds have been debauched by the mixture of Executive Government, which corrupt Ministers have introduced into the House of Commons, may be surprized at the assertion, that all the Rights of the People, and of their Representatives, are, and must be, while Public Freedom is their object, mere Defensive Privileges. Yet, nothing can be more demonstrably true; and the happy effect of the application is principally owing to the *exclusive* possession of the *active Powers* of Government by the Monarch. This situation binds the Representatives to the Constituents, and the whole nation each to the other, in the indissoluble bands of one common interest—a common interest, in enacting equitable laws, and compelling the ob-

observance. Individuals are the same here as in every other part of the globe—Man has a natural desire of power, and pre-eminence ever will be the object of individuals. That of the People at large, must be general liberty.—The Representatives, few in number, would quickly desert the People, if it were possible for them to erect a dominion to themselves—to have a permanent interest, distinct from that of the Nation. Let them possess the Executive Government, independent of Nomination and Removal by the Crown, viz. by Election in their own House, they have this *distinct*, nay, *adverse* interest—they themselves have the power, which it is the general interest of the People at large to controul. The House of Commons, of 1640, whose precedents are become so fashionable of late, succeeded in the attempt, and established a most detestable tyranny. The late Ministry were elected in the House of Commons, and the same effect instantly began to appear. The first measure of these Ministers, nominally the Ministers of the Crown, was calculated to erect a permanent independent Power in their own Party. The Bill passed triumphantly through the House of Commons; and, had the other Branches of the Legislature assented, the Crown would have

endeavoured in vain to remove them, or the People to controul. The event foretold, as the destruction of our Constitution would have taken place, “ the Representatives of the “ People would have begun to share in the “ Executive Government.”

It is now contended, that the House of Commons ought to possess a Negative upon the Appointment of Ministers. The distinction between an unlimited Negative and an original right of Nomination, is extremely nice. The effect will depend on the comparative weight and importance of the contending parties ; and a favourable situation may at once enable the House of Commons to convert such a Negative into a real effective Power of Appointment. It is fit, therefore, that the People should fully understand, that the possession of such a Power will necessarily convert the House of Commons from watchful Guardians of the Public Safety, into the domineering Tyrants of their Country. But it is asked, with admirable art, ought not the Ministers of the Crown to be men who possess the *Confidence* of the House of Commons ? And has not the Prince constantly dismissed Ministers who wanted this *Confidence*, at least since the Revolution ? Nay, says Mr. Fox, even before the
House

House of Commons had acquired their just weight in the Constitution, the Sovereign declared he would retain no Ministers in opposition to the wish of the Commons. The illustration affords the answer.—The necessity of *Confidence* does not arise from the *peculiar rights* of the House of Commons, but from the *general nature of all Government*. All the powers of Government, in whatever hands these powers are placed, are held in trust for the People, and ought to be exercised for their benefit. In this sense, the Prerogatives of the Crown, and the Privileges of the House of Commons, ought equally to be exerted in such a manner as to procure *public confidence*. Which have been most successfully exerted to *this object*, is not now a doubtful fact. The common sense of an enlightened Public cannot be deceived. They saw a Party, whose views have been often noble, labouring in Lord North's Administration to emancipate the House of Commons from the Influence of the Crown. The People applauded and aided their endeavours—Why? Because the House of Commons could not answer the purposes of its institution, unless THE HOUSE OF COMMONS were independent of the EXECUTIVE POWER. The loss of America, and subsequent laws, suf-

ficiently reduced this Influence; and the People naturally flattered themselves with the prospect of an Administration, in which the Ministers of the Crown should become really accountable *for their conduct* to National Assemblies. This pleasing prospect was suddenly clouded by a Coalition, which excited universal astonishment. All men knew with certainty, that this Union could not be founded on Public Duty; because, during ten years, every principle of public conduct relative either to domestic Government or foreign interests, had repeatedly been drawn into discussion in Parliament, and these Leaders had ever been found in direct opposition to each other. The real object of this Union did not long continue doubtful.—Lord North, with the dependants which a long Administration had created, added to the great families who composed the Aristocratic Party, commanded a majority in the House of Commons. The first use they made of this majority was, by a Vote to condemn the Peace. To say nothing of the merits of the Peace, this Vote could not possibly have for its object, any *public benefit*. They were compelled to acknowledge in debate, that the experiment was hazardous to the *public interest*; as such a Vote might create distrust, in a moment when the two
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Courts of France and Great Britain were taking measures in concert, for the joint execution of the Treaty in distant parts of the world, particularly in India. Did they mean to break the treaty? No—They disclaimed any such intention. Did they mean to impeach the Minister? No—They knew, moreover, before the debate † was closed, that the House of Lords, the necessary Judges of an Impeachment, had approved the Peace, in an Address to the Throne. At length, the manly understanding of Mr. Fox saw, that it was no longer possible to disguise their motives; and he jocosely said, his Honourable Colleague, Sir Cecil Wray, did not understand the *art of making Ministers*. To make *Ministers*, therefore, was their object. The King, rather than engage in a contest with the House of Commons, prudently submitted; and, though with a reluctance natural to his situation, finally permitted these Parties to arrange the Administration at their pleasure—Or, to use the phrase of Mr. Pitt, perhaps better adapted

† If I recollect right, the day on which the Lords voted their Address, the Commons refused their approbation, not having sufficient information to decide. Yet, on the next day, condemned the Peace, without any *new lights*, except such as arose from the numbers on the former division.

adapted to the case, they seized the Government. Had they been contented to enjoy the fruits of their triumph, and to act in their new situation as *the Ministers of the Crown*, the means of attaining their object had been censurable, but the Constitution had been safe. They knew, however, that their power was not derived from a voluntary exercise of the Royal Prerogative. Their situation urged them to secure the power acquired by rendering the most undoubted Prerogative of the Crown wholly subservient to the pleasure of the House of Commons, and by establishing in that House the dominion of their own Party. Hence, the Bill for vesting in the Nominees of their Party the entire Government and Patronage of India, independent of the Crown, for a term of four years, which, by *accident* doubtless, just extended beyond the next General Election, when another House of Commons would be returned under the auspices of these *persevering* Ministers. Can any man doubt the tendency of these measures? or imagine the Party would ever have abdicated their power, had the Lords permitted them once to fortify the Citadel? The Lords had no sooner rejected the Bill, than they are instantly threatened with a renewal of the measure; and any man who should advise the King to employ
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his Negative, with an impeachment. What was this conduct, but a direct attempt to annihilate the just rights of the King and the House of Lords, and to vest all the Powers of the State in themselves, through the medium of the House of Commons. They are not, even now, contented to participate the Royal Power, but they insist upon rendering their triumph conspicuous to the whole Nation, by compelling Mr. Pitt to resign his station, *from the nomination of the King*, merely to accept a *re-appointment at their hands*. The objection is not to the Man, or the Minister, but to the *source* from which he derives his character of Minister. The nonsense of Secret Influence has indeed been employed to disguise the intended violence; and when Resolutions were carried in the House of Commons, the honour of that House is interposed, yet further to obscure the subject. The *Secret Influence* complained of, was Advice which the Nation have pronounced to be just; and as to the Honour of the House of Commons, this must ever consist in an *upright discharge of their Public Trust*. The true question, therefore, stripped of these false colours, will be, Is it the duty of the House of Commons to usurp the Prerogative of Naming Ministers? On this question, I have no difficulty in deciding—The House of Commons possessing this power, can

no

no longer answer the purpose of their institution, but will become a curse and scourge to the Country, from the moment in which they succeed.

The direct means of securing the blessing of liberty and independence to the individual, are the Laws relative to the Judicial Authority. Hence the independence of Judges; the strict adherence to known rules; the trial by Jury, that admirable institution, which commits the safety of each individual to twelve men, who have an equal interest with himself in the general security: Hence, likewise, that excellent Writ which reveals the Secrets of Prisons, and suffers not even the necessary means of Justice to be employed to the purpose of oppression. Of what use are all these Laws, if there be none to enforce the observance? The Inquisitorial Power of the House of Commons, is here the defence of the Subject. This Assembly can examine into every evasion or violation of private or public right: They can attain that perfect investigation of every abuse, which individuals would attempt in vain. These abuses may be protected by Ministers. They can impeach Ministers, or their Instruments. But is the discharge of this first duty consistent with the Nomination of Ministers—with the participation

tion of their power—with having themselves an interest in the abuses they should correct? A House of Commons, under such circumstances, would quickly become Parties in the oppression of a plundered People.

To provide for the observance of subsisting laws, by the most exact administration of justice, would be of little avail, if the People had no means of obtaining equitable Laws, as the rule of conduct which their Governors were compelled to observe. A single Law might annihilate all their Rights in an instant. This, indeed, were little to be feared, for undisguised violence is seldom attempted; but it requires all the watchful jealousy, which the enjoyment of these inestimable rights can inspire, to guard against the daily encroachments of Power, and to repair the frequent breaches, which the most perfect System of Government, like all other human institutions, must sustain. This office, the People of England have delegated to their Representatives in Parliament; and it forms far the *most important duty* of the House of Commons. Are the present pretensions of that House consistent with the *upright discharge* of this their *most important duty*? In the exercise of this trust, they are to stipulate with the Executive Authority of the State, the

terms and conditions of its exercise ; and where former laws have proved insufficient to prevent abuse, they are to exact new laws, such if possible as will preclude future evasion. One great evil, which had arisen from various causes, foreign as well as domestic, was the influence which the Executive Magistrate had attained in our National Assemblies. The private interest of individuals almost silenced the national interest, which ought ever to dictate the Resolutions of the House of Commons. Remedies from time to time have been applied. Laws have been made to exclude Placemen from seats in that House, and even from a voice in the Election of Members. The caution was necessary, lest the Executive Magistrate should be able, by influencing the voice of the majority, to prescribe in the form of laws, the rules of *his own conduct*. Will this evil be less, if, by the Election of Ministers, or in other words, by the exercise of the Royal Authority, in the House of Commons, the general interest of the body becomes the advancement of their own Power ? Will not they, in the character of Legislators, prescribe the rules most consonant to their own views, regardless of the general interest of the Community ? The attempt to possess themselves of the Executive Authority,

which

which they were appointed to watch and controul, is in my judgment, a direct abdication of their trust; for the very foundation of Confidence is subverted. How can the People confide in,—how can the People be *represented* by those, who no longer have a common interest with themselves? The natural interest of men raised to stations of public trust, is the advancement of their own power.—The interest of the People at large ever must be general liberty. The only band that can repress the effect of this distinction, that ever can unite the Representative body with the rest of the nation, is the utter impossibility of obtaining a permanent Power to themselves. While our Constitution subsists, the Members of the House of Commons never can possess more than a *precarious* Authority, at the *pleasure* of the Crown. Their interest, therefore, as a part of the People, will preponderate, and they will remember, that in enacting Laws, they are prescribing the conditions and terms of governing both themselves and the People.—Thus, the Power which the King possesses, of appointing and dismissing Ministers, secures the integrity of the House of Commons, while that integrity prevents the abuse of the Executive Authority vested in the King. This is one

of the numberless beauties of the British Constitution, where all the parts conspire to the attainment of that perfect freedom, which is the grand characteristic of our Government. Let the House of Commons possess the Executive Authority, will they stipulate with themselves in behalf of the People? Will they set limits to their own Power? Will they, in short, *represent* the People, or will they act for themselves in pursuit of a separate interest? To avoid the suspicion of accommodating my reasoning to the present occasion, I will answer in the words of the President Montesquieu:—"When the Legislative and
 " Executive Powers are united in the same
 " person, or in the same body of Magistrates,
 " there can be no liberty; because apprehensions may arise, lest the same Monarch
 " or Senate should enact tyrannical Laws, to
 " execute them in a tyrannical manner." *

Besides

* The Negative of the King in Legislation, does not form an exception to this maxim. The King has no right to propose a Law, or to alter a Law proposed by others; he can only reject. This is not so properly a Legislative Power, as a Negative on the Legislation of others:---a mere defensive privilege to enable him to withstand the encroachments of the Legislature, and to preserve the Government entire.

Besides the Judicial Authority, which secures the Rights of the Subject, as defined by the existing laws, and the Legislative Power, which prescribes in the form of laws the rules of deciding on these Rights; there yet remain a class of Rights, which do not so properly relate to the individual as to the whole community. These may be considered as the property of the State—Here is the great temptation to abuse, because the misapplication, which to the individual is a fortune, is lost in the magnitude of the general object. The *actual exercise* of these rights is vested in the King; the *exclusive power* of providing the means, and judging of their application, remains to Parliament; and on this separation depends the whole controul which our Constitution has established. Thus, Parliament previously judge, whether the service proposed will be for the advantage of the State; but to remove the temptation of betraying their trust, the grant, if proper, must be made to the King—Parliament decide what number of men are required for the land and sea service; but the disposal of Commissions, together with the command of those forces, belongs unalienably to the King—Parliament, in the Mutiny Bill, annually prescribe the mode of governing the Army; but that government
can

can never be in their own hands—Parliament ascertain what sums shall be applied to this service, and how these sums shall be raised; but the collection and actual administration of this money must be in the hands of the King. The same rule prevails in every other public service, which the necessities of State demand. Let the House of Commons, by cabals among themselves, name the Ministers who are to exercise these Powers, which the Constitution has entrusted to the King, and they have from that moment a direct interest in the abuse. Will Parliament be jealous of the Army? The greater the Army, the more Commissions will be in their disposal; the greater the force in their hands. Will Parliament be solicitous in prescribing the rules for governing the Army, to prevent it's becoming an instrument of tyranny? The tyranny will be their own. Will Parliament be severe economists in the management of the public purse? Ridiculous hope! The larger the sums raised on the People, the greater the profusion in every public service; the more the Leaders in Parliament and their dependants will fatten on the public spoils. The unconstitutional mixture of the Legislative and Executive Powers, of late years, has been the principal cause of the wasteful expenditure of
public

public money, which has almost made bankrupt the country. This cause has already prevented any very strict account being required of those to whom the trust has been committed; but the modern doctrines preclude a possibility of any future investigation. Who are to attempt this duty? The Parliament, who have named the Ministers,—who are already become Parties,—or to speak more correctly, the Leaders of this Parliament, who are the Ministers themselves! The moment in which the Nomination of Ministers in the House of Commons is understood to be the constitution, we may expect to see rival Factions dividing or uniting, not upon any sense of public duty, or principle of public conduct, but uniting to seize, or quarrelling on the division, of the public spoils. No conformity of sentiment; no concurrence in the prosecution of a public interest, will be required. The sole consideration will be, how many Votes each Leader can command to form a majority, and how to accommodate the distribution of power and emolument, to the ambition or avarice of individuals. The Votes of the House will no longer depend on the merits of the question, but on the previous Treaty which has apportioned the plunder of an oppressed country.

How

How far this representation accords with the present situation of affairs, every man will decide for himself. This view of the subject, however, naturally leads the mind to the examination of that *Personal Confidence* in a Minister by Parliament, which is represented as *essentially necessary* to that character. I have already observed, that the Nomination of Ministers, like every other power in Government, is a trust for the *Public Benefit*; and, therefore, ought to be so exercised, as to engage the *Public Confidence*: But if by Confidence be meant, *previous approbation or preference*, this is nothing less than the Nomination; and is, in other words, to contend, that the Nomination of Ministers ought to be in Parliament. That the word Confidence * is now used in this sense, and employed in preference to the more proper term, merely to evade a direct avowal of the real design (like the old distinction of bearing arms by the King's authority, against his person) is plain, not only from every act of the famous Coalition, but may be collected even

* This is the very phrase of the Long Parliament of 1640. When they seized the whole Executive Government, and overturned the Constitution, the requisition to the Throne was, that the Power should be placed in the hands of those in whom Parliament could CONFIDE.

even from the Addresses of the House of Commons to the Throne. They profess to have disapproved the Nomination of Ministers, previous to any one act in that character; and declare, they never can condescend to assign their reasons for such disapprobation. They expect an implicit submission on the part of the King, and an instant dismissal of his Ministers. Here, the deference which the Leaders of the Coalition thought it prudent to pay to the Country Gentlemen, has placed them in a ridiculous dilemma. They dared not to avow an intention of seizing the Government to themselves, but profess their object to be the formation of an extended, united, and efficient Administration. The absurdity of insisting upon the disgrace and dismissal of those who are to form a part of this Administration, previous to all treaty upon *fair* and *equal* terms, is so glaring, that a refusal even to treat, at once reveals the Plan. They knew that Mr. Pitt, and those who act with him, have too high a sense of honour, ever to unite with men who insist upon their previous degradation. They knew likewise, that there are no other men, except their own Party, capable of filling the Offices of Government. If, therefore, the Sovereign could be prevailed upon to affront

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these Ministers, he is without resource; he must submit to their terms: And they could easily attribute the failure of that Union, which they profess to have in view, to the Pride of Mr. Pitt and his Associates.

The real question, therefore, to be decided by the People must be, Whether the King or the House of Commons shall Nominate the Ministers of the Crown? Many men, perhaps, have not reflected what this question involves. It is, in truth, Whether the whole Royal Authority shall devolve on the House of Commons? For the King can exercise no Authority whatsoever in his own person; and all the Inferior Departments in the State are filled by the Advice, indeed by the Nomination of his Ministers. If the Ministers, therefore, are Nominated by others, we have no King:—This Third Estate, so essential to the preservation of our Constitution, is completely abolished. The Royal Power, indeed, subsists, but transferred to the House of Commons: And if I am right in conceiving the possession of this power to be inconsistent with their Duties, the proper Functions of that House are likewise suspended, and the Liberties of the Country are destroyed.

I shall be asked, may not the Nomination of the Crown be such as to justify strong measures
to

to remove the Ministers? It were sufficient to observe, that the present case does not require such measures even in the judgment of the House. They unanimously recommend an Union with the principal Ministers at present in the service of the Crown. The characters of these Ministers are such, that even their most violent Opposers dare not openly reject the proffered Union. It is unnecessary, therefore, to discuss what a *possible* situation of public affairs may demand. I shall, however, observe, that Parliament possess abundant means of securing every public interest, without overturning the Constitution. In a time of Peace, the foreign interests committed to the Executive Magistrate are not involved in great difficulty; and if this were not our condition, the accomplishment of the late Peace, notwithstanding its condemnation by the Coalition in the House of Commons, does not discredit the talents of its Authors. The internal domestic Government is regulated by the Laws, as far as relates to Individuals; and as far as relates to the Public, Parliament must judge of each demand, and appropriate the Supplies. A curious argument has been framed upon this part of the duty of the House of Commons.—Have we not a right, it has been said, to grant or

withhold the Supplies? And shall we not judge to what hands these Supplies shall be entrusted? I have already observed, that the impossibility of the House of Commons assuming the management of these Supplies to themselves, the absolute necessity of committing this charge to the Crown, are essential to preserve the integrity of the Members in the execution of their trust. They cannot finger the money themselves; but they may appropriate the money, by the strictest laws, to that specific public service which they have approved.—They may at any future time exact a correct account, and proof of its application. The Grant of Supplies is no longer what it formerly was, a Grant of Money to be employed by the Ministers of the Crown. The King has his Civil List distinctly granted for life; but the Supplies are annually granted to *the public necessities of the State*, and strictly appropriated to the *specific service*. The present House of Commons have thought their Vote alone sufficient to prevent the issues of money not yet appropriated by Law. Surely they must admit, that the Law, when passed, will have at least equal authority with their Votes; and prevent the misapplication to other than the service for which the Grant was made.

made. But those who employ this argument cannot be serious. It will scarcely be contended, that Mr. Pitt is unworthy that degree of *Confidence* which is reposed in all the Clerks of the Bank. The argument, however, assumes another form ; and it is said the present are inefficient Ministers. They are even derided as Nominal Ministers, who cannot carry any measure of Finance. An ability to carry a *wrong* measure *ought* to exist in none ; a disability to carry a measure which is *right*, must arise from a *want of integrity in others*. Let it be remembered, that measures of Finance are acts of Legislation, in which the Ministers of the Crown appear in the character of Members of Parliament ; and that to resist *wrong* measures, and to bring forward *right* measures, belong equally to every Member. The event must depend on the *integrity* of the Majority, in the *discharge* of that *trust* committed by this Constitution peculiarly to the House of Commons.

The power of withholding Supplies in the House of Commons, is a *trust* to be exercised for the *public benefit* ; but ought not to be made the stalking-horse of *private ambition*. To withhold the Supply demanded, when the particular service is not beneficial to the State, is
always

always *right*, always a *duty*. Under some possible circumstances, to withhold the Supplies generally, for a time at least, may be a duty. Why are all Grants since the Revolution *annual*? To render the fitting of Parliament *annually* necessary. But the fitting of Parliament would be useless, if they were not allowed time sufficient to investigate abuses in the Executive Government—to propose new Laws, which the course of events have shewn to be necessary—in short, to discharge all their public duties as a Parliament. In this view, and to these purposes, the right of withholding Supplies belongs equally to both Houses. But if this forcible engine be applied to compel the Crown to adopt a particular set of Ministers—to arrogate indirectly a power vested in the King—this will be an *abuse of trust*, which must involve the Government in confusion. The Lords, equally with Commons, may employ the same engine to seize the Nomination of Ministers to themselves; for their *power* of withholding the Supplies is equally clear. The same engine may be applied by the Commons, to wrest the Judicial Authority from the Lords; or to any other purpose which their ambition, or even caprice may dictate. And why may not the King, upon the *same principle*, negative Laws
necessary

necessary to the public welfare, until he is freed from the troublesome restraint of Laws? These are indeed palpable *breaches of trust*. But amidst the contention of such mighty powers, whose excesses the Laws have provided no means to repress, to what purpose, it may be said, point out the evil which admits of no cure? To point out the evil is to provide the cure. Here again the superior excellence of our Constitution appears. The great body of the People, whose force, when united, must be irresistible, do not mix in the ordinary contentions of our Government: They therefore remain, in a great measure, free from prejudice. To them the ultimate appeal will always be made. A free Press assures them of complete information on every important question; and though slow in their motions, this unwieldy body will always unite to *preserve the Constitution of Government entire*. The question to be decided, if the intemperance of Party shall compel a decision, is a plain fact. Do the House intend to usurp the Royal Authority in the Nomination of Ministers? In the decision of this question, the People cannot be mistaken. If the Supplies are withheld, or the Mutiny Bill refused by the Commons, the People have only to enquire, what

public

public grievances are stated, of which redress is denied? What Laws necessary to the public safety are proposed by the Commons, to which the King has refused his assent? What Ministers are protected who have abused their trust? Or is there any other contention than who shall be Minister, or in other words, to whom the King shall delegate that *trust* which constitutes THE WHOLE OF THE ROYAL AUTHORITY?



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